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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on
Economic, Social and Cultural Rights

GEORGIA

1. The Committee considered the initial report of Georgia on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/1990/5/Add.37) at its 3rd, 4th and 5th meetings, held on 26 and 27 April 2000, and adopted, at its 21st meeting, held on 9 May 2000, the following concluding observations.

## A. Introduction

2. The Committee welcomes the submission of the initial report by the State party, as well as its written replies to the list of issues, presented by a delegation that included high-level officials of various ministries. The Committee welcomes in particular the constructive dialogue with the delegation, its readiness to reply to additional questions and to furnish additional information whenever available, and the candour of its replies. The State party's report was submitted in general conformity with the guidelines established by the Committee.

## B. Positive aspects

3. The Committee notes the intention of the State party to advance human rights and to comply with international human rights norms by ratifying most of the international human rights instruments, as well as various International Labour Conventions, after independence.

In addition, the Committee acknowledges the efforts made by the Government of Georgia with a view to implementing the rights set forth in the Covenant. The Committee takes note in particular of the statement by the delegation that the Government of Georgia intends to ratify the Social Security (Minimum Standards) Convention, 1952 (No. 102) and the Equality of Treatment (Social Security) Convention, 1962 (No. 118) of the International Labour Organization, which deal with the issues of social protection of workers.

4. The Committee notes with satisfaction that the Government of Georgia is willing to cooperate with various international organizations, such as the United National Development Programme, ILO, World Health Organization, the World Bank and the International Monetary Fund, as well as with regional organizations such as the Organization for Security and Cooperation in Europe, in order to realize the rights set forth in the Covenant, and in particular to address the problem of poverty.

5. The Committee also welcomes the fact that the State party has created governmental bodies which are concerned with the issue of human rights, such as the National Ombudsman and the Committee on Human Rights of the Parliament of Georgia.

## C. Factors and difficulties impeding the implementation of the Covenant

6. The Committee is aware that the Government of Georgia is currently faced with the difficulties commonly encountered by countries in transition. The changes required to reform the social welfare and benefit, labour and employment, health and educational systems are considerable in economic, as well as political terms. In this respect, the Committee also recognizes the problems encountered by the State party in addressing the internal conflicts existing in certain regions of the country which have seriously hampered the State party's efforts to improve the situation of human rights for all its citizens.

## D. Principal subjects of concern

7. The Committee is concerned about the grave problem of poverty with which the Government of Georgia is confronted. Despite the efforts made by the State party, the average minimum wage is still insufficient to ensure an adequate standard of living for large parts of the Georgian population.

8. In addition, the Committee is concerned about the inadequacy of certain measures being taken to combat poverty. With regard to activities aimed at poverty reduction, there seems to be a lack of effective management in the policy-making and implementation phases, particularly with regard to the reform of the pension and taxation systems. A lack of clearly established guidelines and indicators hinders the transition process.

9. Generally, the Committee notes that the statistical data provided by the State party are insufficiently reliable to allow a clear analysis and evaluation of the various problems it is addressing, such as the level of poverty in the country, and the determination of the actual minimum subsistence level and the real poverty line.

10. The Committee considered that the lack of statistics on budget transfers from central to local government for education and health makes it impossible to have a clear view of the progress or otherwise in these fields.

11. The Committee also notes with concern the fact that workers in various sectors of the Georgian economy have not been paid on time.

12. The Committee also expresses its concern about the fact that there are no legislative provisions ensuring disabled persons access to the labour market.

13. The Committee notes with concern that women suffer more than men from unemployment and that they are under-represented in the labour force, especially in public service, including Parliament.

14. In addition, the Committee is concerned that the National Plan of Action, which aims to eliminate the inequalities faced by women in the economic and social spheres, has not yet been implemented by the State party.

15. The Committee notes with concern that the laws addressing violence against women and sexual harassment in the workplace are inadequate and insufficient.

16. The Committee also notes with concern that the number of children begging in the streets is on the increase and that many of them are drawn by adults into various types of criminal activity.

17. The Committee regrets that, given that the data provided by the State party on the housing situation, including on the occurrence of forced evictions, were insufficient, it was impossible to form a clear and comprehensive picture of the matter. In addition, the Committee deplores the failure to find a satisfactory solution to the problems concerning internally displaced persons.

18. The Committee notes with concern that there is limited knowledge among the general public with regard to reproductive health issues in general, and in particular with regard to the availability and use of contraceptives.

19. With regard to education, the Committee notes with concern that in the new secondary school curriculum there appears to be an imbalance between the amount of time devoted to military training (3 units) and to "fundamentals of justice" (1 unit).

## E. Suggestions and recommendations

20. The Committee notes the statement by the State party that poverty reduction is its principal priority. With regard to the policies adopted and the measures taken, the Committee suggests that the State party take into account the obligations ensuing from the Covenant, as well as the recommendations contained in the present concluding observations.

21. The Committee recommends that the State party continue to seek international technical assistance, as provided for in article 23 of the Covenant, in its efforts to improve the implementation of economic, social and cultural rights in the country.

22. In addition, the Committee recommends that the State party ensure that its international human rights obligations are taken fully into account when it enters into technical cooperation and other arrangements with international organizations. Also, the Committee urges the State party to take into account the different approaches taken by various international organizations, such as the human development approach of UNDP.

23. The Committee supports the suggestion in the UNDP Human Development Report Georgia 1999 that the poverty threshold level not be changed in accordance with proposals which the State party has received, as such a change would incorrectly reflect the poverty situation in the country. In this respect, the Committee urges the State party to take adequate measures to ensure that the minimum wage is sufficient to meet the basic needs of the wage earner and his or her family.

24. The Committee recommends that the State party take remedial action to ensure that workers in various sectors of the economy are paid on time.

25. The Committee also recommends that the State party undertake to adopt relevant legislation to ensure that disabled persons have greater access to the labour market.

26. Recognizing that the resources available to the State party are limited, the Committee suggests that measures be taken to concentrate their use on major priorities, such as measures to address the existing inequality between men and women in public service and the formulation of a National Plan of Action on Human Rights. In this respect, the Committee points out that international technical assistance may be requested with regard to such activities from the Office of the High Commissioner for Human Rights (OHCHR) and UNDP.

27. The Committee urges the State party to start implementing gradually the National Plan of Action with regard to women. In addition, the Committee strongly recommends that the State party take effective measures to combat violence against women, including by adopting appropriate legislation.

28. The State party is urged to treat with more concern the growing number of children begging on the street and to take the appropriate measures to solve the problem.

29. The Committee recommends that the State party take measures to create conditions that would allow internally displaced persons to return to their places of origin.

30. The Committee recommends that the State party take steps to improve the awareness and knowledge of the public about reproductive health issues. In this regard, the Government might seek the advice and assistance of international organizations such as WHO, UNAIDS and the United Nations Population Fund.

31. With regard to the secondary school curriculum, the Committee recommends that the State party strike an appropriate balance between the school time devoted to military training and the time devoted to civic education, including the "fundamentals of justice".

32. The Committee requests that the State party include in its second periodic report on the implementation of the Covenant all available information on any measures taken and progress made, particularly with regard to the suggestions and recommendations made by the Committee in the present concluding observations.

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